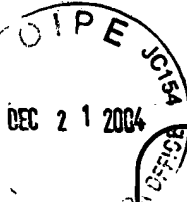


12-23-04

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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/642,889
	Filing Date	08/18/2003
	First Named Inventor	Hiroyasu Ito, et al.
	Art Unit	2818
	Examiner Name	David Vu
Total Number of Pages in This Submission	Attorney Docket Number	4041J-000437/DVA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks: The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Michael J. Schmidt
		Reg. No.	34,007
Signature			
Date	December 21, 2004		

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed name	Michael J. Schmidt	Express Mail Label No.	EV 570 165 138 US (12/21/2004)
Signature		Date	December 21, 2004

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EV 570 165 138 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/642,889
Filing Date: 08/18/2003
Applicant: Hiroyasu Ito, et al.
Group Art Unit: 2818
Examiner: David Vu
Title: SEMICONDUCTOR DEVICE AND METHOD OF
MANUFACTURING THE SAME
Attorney Docket: 4041J-000437/DVA

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ELECTION OF SPECIES

Sir:

In response to the Office Action mailed November 30, 2004, Paper No./Mail Date
20041122, please consider the following.

The Examiner has required an election of species pursuant to 35 U.S.C. § 121 to
one of the following patentably distinct species:

- I. First embodiment (specification, pages 7-15);
- II. Second embodiment (specification, pages 15-16);
- III. Third embodiment (specification, pages 16-19);
- IV. Fourth embodiment (specification, pages 19-21);

V. Fifth embodiment (specification, pages 21-24); and

VI. Sixth embodiment (specification, pages 24-25).

Applicants, without traverse, respectfully request the Examiner to proceed with Species V corresponding to the fifth embodiment shown in Figure 10. Applicants believe that Claims 16, 18, 19 and 22-33 read on the elected species and that at least Claim 16 is generic. Applicants request that the non-elected Claims be held in abeyance for possible rejoinder and/or further prosecution in future divisional and/or continuation applications.


CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 20, 2004
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

By:



Michael J. Schmidt
Reg. No. 34,007

MJS/pmg